

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"Alpha-aminoamide derivatives useful in the treatment of lower urinary tract disorders"**

the specification of which: *(check one)*

REGULAR OR DESIGN APPLICATION

- ☐ is attached hereto.
- ☐ was filed on _____ as application Serial No. _____
and was amended on _____ (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- X was described and claimed in International application No. PCT/EP2005/000514 filed on 20-01-2005
and as amended on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

Country	Application Number	Date of Filing (day, month, year)	Priority Claimed
EUROPEAN	04001175.1	21-01-2004	YES

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional patent application(s) listed below:

Application No.	Filing Date	Status (patented, pending abandoned)
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(Complete this part only if this is a continuing application.)

I hereby claim the benefit under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date	Status (patented, pending abandoned)
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Docket No.

POWER OF ATTORNEY

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from _____ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

As a named inventor, I hereby appoint the registered patent attorneys represented by Customer No. 00466 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, including: Robert J. PATCH, Reg. No. 17,355, Andrew J. PATCH, Reg. No. 32,925, Robert F. HARGEST, Reg. No. 25,590, Benoît CASTEL, Reg. No. 35,041, Thomas W. PERKINS, Reg. No. 33,027, Roland E. LONG, Jr., Reg. No. 41,949, Eric JENSEN, Reg. No. 37,855, Liam MCDOWELL, Reg. No. 44,231, and Philip A. DUBOIS, Reg. No. 50,696,

c/o YOUNG & THOMPSON
Second Floor
745 South 23rd Street
Arlington, Virginia 22202

Customer Number

00466

Address all telephone calls to Young & Thompson at 703/521-2297. Telefax: 703/685-0573.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: **BARBANTI Elena**

Inventor's signature: Elena Barbanti Date: 31 OTT. 2006

Residence: COLOGNO MONZESE, Italy Citizenship: Italian

Post Office Address: Via Dei Platani 6 - COLOGNO MONZESE, Italy

Full name of second joint inventor, if any: **VENERONI Orietta**

Inventor's signature: _____ Date: _____

Residence: SETTIMO MILANESE, Italy Citizenship: Italian

Post Office Address: Via Stephenson 25, SETTIMO MILANESE, Italy

Full name of third joint inventor, if any: **THALER Florian**

Inventor's signature: Florian Thaler Date: 31 OTT. 2006

Residence: MERANO, Italy Citizenship: Italian

Post Office Address: Via Val di Nova 31 - MERANO, Italy

Full name of fourth joint inventor, if any: **PELLICCIARI Roberto**

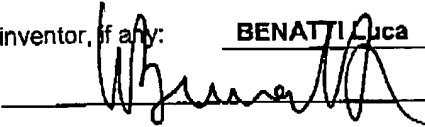
Inventor's signature: Roberto Pellicciari Date: 31 OTT. 2006

Residence: PERUGIA, Italy Citizenship: Italian

Post Office Address: Via Rocchi 60 - PERUGIA, Italy

Docket No.

Full name of fifth joint inventor, if any:

BENATTI LucaInventor's signature: 

Date:

31 OTT. 2006Residence: COLOGNO MONZESE, ItalyCitizenship: ItalianPost Office Address: Via Della Repubblica, 43 - COLOGNO MONZESE, Italy

Full name of sixth joint inventor, if any:

SALVATI PatriciaInventor's signature: 

Date:

31 OTT. 2006Residence: ARESE, ItalyCitizenship: ItalianPost Office Address: Via Valera 16/C - ARESE, Italy

Full name of seventh joint inventor, if any: _____

Inventor's signature: _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

Full name of eighth joint inventor, if any: _____

Inventor's signature: _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

Full name of ninth joint inventor, if any: _____

Inventor's signature: _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

Full name of tenth joint inventor, if any: _____

Inventor's signature: _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

BIANCHETTI • BRACCO • MINOJA**DECLARATION**

I, Maria Fiorella Vergani, hereby declare that I am an Italian citizen, and that I am employed by the Italian law firm of Bianchetti, Bracco, Minoja, in the capacity of Formalities Officer in charge of the filing, prosecuting and registering of Italian and international patents and trademarks, with special responsibility in the area of extending Italian patents and trademarks abroad. I have held that position for 30 years.

In preparation for entering the 35 USC 371 national stage in the United States for international application: **PCT/EP2005/000514**, I was asked to obtain the signature of a joint inventor, namely: Ms. Orietta Veneroni on the US declaration and assignment documents.

I attach a copy of a letter dated October 23, 2006 from Mr. Mauro Barberi, counsel to Ms. Orietta Veneroni, which stated that due to her employment relationship with Newron S.p.A., the applicant for all designated states except the US, Ms. Orietta Veneroni did not see any reason why she should sign any further assignment documents as all the intellectual property rights belong to her former employer, Newron S.p.A. pursuant to all applicable provisions of Italian law.

I also attach a copy of a letter dated November 6, 2006, from Ms. Annalisa Reale, an attorney in the Law Firm Chiomenti, Counsel to Newron S.p.A, which confirmed that as result of her employment agreement with Newron, S.p.A., Ms. Veneroni has no rights to the invention despite any requirements under U.S. law. This letter included copy of the above mentioned letter of Mr. Barberi dated October 23, 2006 (indicated at point 4 as Attachment I) reiterating Ms. Veneroni's refusal to execute the application papers.

On advice from our US colleagues, at the law firm of Young & Thompson, on October 30, 2006, I sent a Registered Mail package to Ms. Orietta Veneroni at her last known address: Via Stephenson 25, 20019 Settimo, Milanese, Italy.

The package included the following documents:

- a complete copy of the US application;
- a combined declaration and power of attorney;
- an assignment; and
- a cover letter requesting that Ms. Orietta Veneroni execute the application papers and return them to our office no later than November 22, 2006, while advising her that failure to do so would be considered as a definite refusal to join in the application.

The package was received and signed for by Ms. Veneroni on November 4, 2006, as evidenced by the accompanying acknowledgement of receipt card in Italian and an English translation thereof. However to date, I have received no further correspondence from Ms. Veneroni, and she has not returned the signed declaration or assignment to our office. Accordingly, it is readily apparent that Ms. Veneroni refuses to execute the application papers.

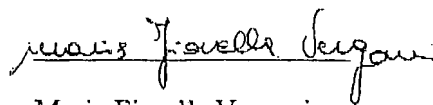
And I further declare that all statements made herein of my own knowledge are true and that all statements made of information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States

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Code and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: December 29, 2006

Signature:



Maria Fiorella Vergani

Studio Legale
Avv. Prof. Gian Carlo Rivolta
 Ordinario di Diritto commerciale
 nell'Università degli Studi di Milano

Avv. Mauro Barberi
 Avv. Prof. Vittorio Biagetti
 Avv. Federica Cassese
 Avv. Fiammetta Malagoli
 Avv. Florin Petrosel
 Avv. Fiorella Rossetto

Avv. Monica Bosco
 Avv. Adriano Carcano
 Avv. Raffaella Ferraris
 Avv. Lidia Gelfrascoli
 Avv. Emanuele Grasso Squassoni
 Avv. Barbara Pasini
 Avv. Vincenzo Rivolta
 Avv. Roberto Rubio
 Avv. Alessandro Stradelli
 Dott. Valentina Cogliati
 Dott. Niccolò Mall
 Dott. Vanessa Pivi

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Milan, October 23, 2006

Mrs. Annalisa Reale
 Studio Legale Chiomenti
 Via G. Verdi 2
 20121 MILANO

Re: Newron S.p.A./ Mrs. Veneroni
 Signature on intellectual property assignments files

Dear Colleague,

With reference to your request of signature by my client Mrs. Orietta Veneroni on the form to be submitted in the US and in other countries in connection with patent procedures filed by Newron S.p.A., I confirm you, following our correspondence elapsed since July 2006, as follows.

As you know, Mrs Veneroni has been an employee of Newron S.p.A. until December 2005. In her role as researcher, she has been participating to the experimentations of several products, among which specifically WO 05/018627 (NWP-007) e WO 05070405 (NWP-015).

Under Italian law, all the intellectual property rights concerning any and each invention, to which Mrs Veneroni has contributed, occurred during the employment relationship already belong to Newron S.p.A. because scientific research was the main and specific obligations of her employment agreement.

Therefore my client, correctly, does not see any reason why she should sign further assignment documents as all the intellectual property rights already with no doubt belong to her former employer Newron S.p.A. pursuant to all applicable provisions of Italian law.

Yours sincerely,

Mauro Barberi



CHIOMENTI STUDIO LEGALE

AVV. PIER CARLO BRUNA O
AVV. CARLO CHIOMENTI O
AVV. FILIPPO P. VASALLO
PROF. AVV. FILIPPO CHIOMENTI O
AVV. MICHELE CARPINELLI **
AVV. FRANCESCO AGO
AVV. MICHELE G. GOLDATI
DR. LUIGI BENZI *
AVV. EMANUELE GEMMA
AVV. CARLO DROTT *
AVV. MASSIMO COLOZZA
AVV. OMBRADO GRANDE
AVV. FRANCESCO TERESCHINI
AVV. VITTORIO TABI
AVV. FRANCESCA VALENTINO O
AVV. EDOARDO ANDREOLI
AVV. ROBERTO GINO
AVV. ENRICO GIOCONI
AVV. ANDREA BERNAYA
AVV. GIORGIO CAPELLI
AVV. LUCA FOSCATI
AVV. FABRIZIO ORAZI
AVV. ENRICO GIORDANO
AVV. LUCA BONETTI
AVV. CAROLA ANTONINI
AVV. GIULIA BATTAGLIA **
AVV. MANFREDI TIANINI TOLOMI
DR. GIUSEPPE ANDREA DIANNANTONIO *
AVV. EMERSONI NOCI
AVV. GIOVANNI DIOTALLEVI

AVV. FRANCO AGOPYAN
AVV. MARTA ANDRIANO
PROF. AVV. STEFANIA BARIATTI
AVV. GIANLUCA BELOTTI
AVV. SIMONE BERNARDI DELLA CATINALE
AVV. ANTONELLA DEANIELLA
AVV. FILIPPO BRUNETTI
AVV. RAFFAELLA CALDA
AVV. FEDERICA CALMI
AVV. VERA CAPRIA
AVV. GAETANO CARMELLO
AVV. OLIVIERO CERA
AVV. MARIA LETIZIA CIUCHINI
AVV. NICOLA COZZI
AVV. MONICA CUCCHIERO
AVV. CARLO D'ARNA
AVV. SACHA D'ECCELEZIE
AVV. STEFANIA DAL MAGO
AVV. EUGENIO BALMOTTO
AVV. CHIARA DEL FANTE
AVV. MICHELE DELFINI
AVV. ELISA DELL'ANNA
AVV. ANDREA DE LUCA PIGNORI
AVV. LUISA DEMICHELIS
AVV. GIULIA DI TOMMASO
AVV. GIANLUIGI DEPOSITO
AVV. CRISTINA FACCHINELLO
AVV. BENEDETTA FALDI
AVV. ALEXIA FALCO
AVV. RAFFAELLA FANTOZZI
STUART FLYNN O

Milan, 6 novembre 2006

AVV. FERRUJO FOGGARI
DR. DANIELA GALLUCCI *
DR. INDO GANDINI *
AVV. RICCARDO GENTILI **
DR. PAOLO GIOACCHETTI *
AVV. VALENTINO GIANOLI
AVV. MARILDE LAMURA
AVV. MANFREDI LEONZA
AVV. CLAUDIO LONZINO
AVV. GIOVANNI MARCHELLI FLORI
AVV. EMANUELE MATTURRI
AVV. MARCO MAGGIORI **
AVV. STEFANO MAZZOTTI O
DR. PAOLA MELONI *
AVV. FEDERICA MILANESI
AVV. FILIPPO MODULO
AVV. MARCO MODULO
AVV. MARCELLANO MOTTI *
AVV. MARTINO PADELLARO
AVV. ALESSANDRA PAOLIANI
AVV. CLAUDIA PARELLA
AVV. IDA TALOMELLA
AVV. CARLO STEFANO PASCALI
AVV. GIULIA PATRIGNANI
PROF. AVV. LUCA E. PERRETTI
AVV. RITA PETRILLI O
AVV. ALESSANDRA PIERRETTI
AVV. PATRIZIA PONTIELLO O
AVV. ALESSANDRO PORTOLANO
AVV. CARMELO RAIMONDO O
AVV. FRANCESCO RAMPONE
AVV. GIULIA REPACI
AVV. ANGIOLA REALE
AVV. MARIA-TERESA RORIO
AVV. CARLO ROMITA
AVV. FEDERICA RONCHI O
AVV. STEFANIA SANTI
AVV. ANTONIO SASCARO
AVV. MARCO SCALDAPATRI
AVV. FRANCESCO SCALZANO
AVV. GAIA SCIANNAMEO
AVV. LUCA SERPIERI
JOHANNA SMITH *
AVV. ERYKATORE BOLOMBRINO
AVV. GIULIO TOGNAZZI
AVV. PAOLO TOMASSI
AVV. RICO TULANI
AVV. LUDIG VACCARO
AVV. MICHELA VALAN
PROF. AVV. PAOLO VALENZISE
AVV. VERBALENO ZEMMOTTI

Consulenti:
PROF. AVV. ANDREA GIARDINA
AVV. ANDREA P. GIOACCHETTI
AVV. CARLO P. CARNAGINI
DAVID MCCARTHY

Newron S.p.A.

Via L. Ariosto

Bresso (MI)

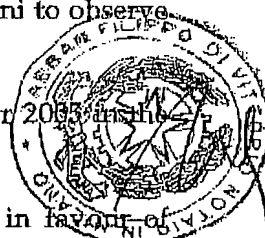
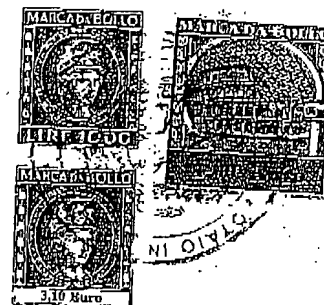
Attention of Mr. Luca Benatti - CEO

RE: Newron S.p.A. / Mrs. Veneroni.
Intellectual property rights - Assignments

Dear Mr. Benatti,

I refer to your request of advice in connection with the issue of intellectual property rights (specifically inventors' rights) of your former employee Mrs. Veneroni to observe as follows.

1. Mrs. Veneroni has been employed with Newron S.p.A. until December 2003 in the position of "Researcher".
2. In June 2006, you asked to Mrs. Veneroni to sign assignment forms in favour of Newron S.p.A. concerning the intellectual property rights (inventors' rights) which would have arose, during the employment relationship, in order to file internationally (also in the U.S.) patent applications.



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H I O M E N T I
STUDIO LEGALE

3. Despite my firm also intervened in such process and I personally forwarded your request to the counsel (Mr. Mauro Barberi) hired by Mrs. Veneroni several times, she rejected your query assuming that under Italian law all the rights she could claim in her quality as "inventor" relating to products/formulas discovered during the employment relationship are already property of Newron S.p.A. Therefore, despite Newron S.p.A. has pursued any diligent effort to have the assignment forms signed also by Mrs. Veneroni, at today the former employee still refuses to sign any document.
4. Finally, the counsel of Mrs. Veneroni sent us a letter today, that I attach herewith (Attachment I), stating all the reasons (the same recalled above) which justify her attitude. In legal terms, I must recognise that the statements of the counterpart are fully correct.
5. As a matter of fact, pursuant to section 64, par. 1, of the legislative decree no. 30 of February 10, 2005, with respect to inventions and utility models, in the event that the employee develops an invention *in the performance of his/her working duties*, the employer is the exclusive owner of all the economic rights related to such invention. No assignment is required and no additional compensation must be paid if the *exclusive or main* obligation of the employment agreement was to make research and pursue "inventions".
6. The employment agreement of Mrs. Veneroni, which I reviewed, does fall in the scope of the mentioned provision. In fact, the employee has been hired by Newron S.p.A., a pharmaceutical research company, with the specific tasks of collaborating, alone or in team, to laboratory experiments finalised to the experimentation and discovery of new pharmaceuticals product (job role: *Researcher*). Hence, despite under U.S. law a specific assignment could be required, being the employment agreement under discussion governed by Italian law, Newron S.p.A. lawfully owns at today any intellectual property right (also concerning WO 05/018627, NWP-007 and WO 05/070405, NWP-015) which may arise from the activity of Mrs. Veneroni in her quality as employee of the company.

I remain at your disposal for any further clarifications you may request.

Sincerely yours,
Annalisa Reale

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E-mail: mailbox@scb.it

Gentile Dottoressa
VENERONI ORIETTA
Via Stephenson, 25
20019 SETTIMO MILANESE MI

Milano, 30 ottobre 2006

Vs. Rif.

Ns. Rif. 13969 V/vmf
(da citare nella risposta)

RACCOMANDATA A.R.

U.S.A. - fase nazionale domanda brevetto PCT
n. PCT/EP2005/00514 dep. 20 gennaio 2005
"Alpha-aminoamide derivatives useful in the
treatment of lower urinary tract disorders"

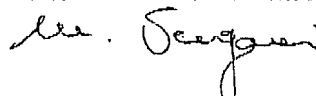
Gentile Dott.ssa Veneroni,

con riferimento alla domanda di brevetto in oggetto dove Lei risulta inventrice - di cui alleghiamo copia completa della descrizione e delle rivendicazioni - Le alleghiamo la Declaration e l'Assignment richiesti dalla normativa statunitense per completare le formalità di deposito.

I documenti ci dovranno essere restituiti firmati e datati ove indicato entro il **22 novembre 2006**. La mancata restituzione verrà intesa come un Suo rifiuto all'invenzione.

La ringraziamo anticipatamente per la Sua collaborazione e cogliamo l'occasione per porgerLe i nostri migliori saluti.

BIANCHETTI BRACCO MINOJA



All. c.s.

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E-mail: mailbox@scb.it

Kind attn. Dr. ssa
VENERONI ORIETTA
Via Stephenson, 25
20019 SETTIMO MILANESE MI

30 October 2006

Milano,

Vs. Rif. 13969 V/vmf

Ns. Rif.

(da citare nella risposta)

Registered mail

Return Receipt Requested

Re: U.S.A. – national phase of PCT application
No. PCT/EP2005/00514 filed on 20 January 2005
"Alpha-aminoamide derivatives useful in the treatment
of lower urinary tract disorders"

Dear Dr. ssa Veneroni,

With reference to the patent application in object, in which you are named as inventor - full copy of the description and claims is herewith enclosed - we send you enclosed the Declaration and Assignment requested under the US provisions to complete the filing formalities.

Please return us these documents, duly signed and dated where indicated, **no later than 22 November 2006. Failure to do so will be construed as a refusal at your end to join in the application.**

We thank you in advance for your co-operation and remain, with best regards,

Yours Sincerely,

BIANCHETTI BRACCO MINOJA
(signature)

Encl.: as detailed above


English translation

ITALIAN POSTAL SERVICE

Acknowledgement of receipt card
Mod. 23-I/O Cod. W8401E - L1

A.R.

To be returned to: BIANCHETTI BRACCO MINOJA S.r.l.
Via Plinio 63
20129 MILANO

☐ Registered ☐ Parcel☐ Insured letter ☐ Euro _____12894483543 0
NumberMailing date : 31-10-2006Post Office of MI 83Addressee: Ms. Veneroni OriettaVia Stephenson. 25ZIP Code 20019Place Settimo Milanese MIOrietta Veneroni 4/11
Signature of the Addressee Date
(Name and Surname)(Signature)
Officer in charge of Stamp of delivery office
delivery

13969V